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29989 7590 02/02/2009 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER	
			DANG, HUNG Q	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	09/827,029	BARTON ET AL.
Office Action Summary	Examiner	Art Unit
	Hung Q. Dang	2621
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the c	correspondence address
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING DESTRICTION OF THE MAILING	DATE OF THIS COMMUNICATION  .136(a). In no event, however, may a reply be tind  d will apply and will expire SIX (6) MONTHS from te, cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).
Status		
Responsive to communication(s) filed on 25 €     This action is <b>FINAL</b> . 2b)  This 3) Since this application is in condition for allowed closed in accordance with the practice under	is action is non-final. ance except for formal matters, pro	
Disposition of Claims		
4) Claim(s) 131-286 is/are pending in the application Papers  4a) Of the above claim(s) is/are withdrated is/are allowed.  5) Claim(s) is/are allowed.  6) Claim(s) 131-286 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or control of the specification is chicated to by the Eventing is chicated to be a chicated to by the Eventing is chicated to be a chicated to by the Eventing is chicated to be a	awn from consideration. or election requirement.	
9) ☐ The specification is objected to by the Examin 10) ☑ The drawing(s) filed on 05 April 2001 is/are: a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) ☐ The oath or declaration is objected to by the E	a) accepted or b) objected to e drawing(s) be held in abeyance. Section is required if the drawing(s) is objection	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
<ul> <li>12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureat * See the attached detailed Office action for a list</li> </ul>	nts have been received. nts have been received in Applicationity documents have been received au (PCT Rule 17.2(a)).	on No ed in this National Stage
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 03/25/2008, 04/07/2008, 08/01/2008.	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:	ate



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#### **DETAILED ACTION**

## Response to Arguments

Applicant's arguments filed 07/25/2008 have been considered but are moot in view of the new ground(s) of rejection. Additionally, the Examiner respectfully would like to give extra comments as follow.

Takagi is now relied upon to disclose the feature of "selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream". In Takagi et al., at least at column 10, lines 11-21, a high speed reproduction is performed concurrently with storing of the video stream until the read pointer catching up with the write pointer at some time.

On page 52, Applicant argues that Kawamura does not disclose the feature of "sending the selected particular video frame and the selected second particular video frame to different destinations for display," recited in claim 141. In response, the Examiner respectfully submits that Takagi in column 17, lines 32-40, 56-64 discloses this feature, in which each destination is a display window in a multi-window screen.

## Information Disclosure Statement

The information disclosure statements filed 02/27/2006, 05/10/2006 fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

# Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al. (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691).

Regarding claim 131, Kawamura et al discloses a method for storage and display of multimedia data (Figs. 7-8), comprising the steps of: receiving a digital stream (col. 3, lines 56-67; Fig. 7); extracting from the digital television stream an MPEG stream that

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contains a plurality of video frames and time stamps associated with the video frames (col. 11, lines 40-67); identifying starting locations of video frames within the MPEG stream and time stamps associated with video frames (column 3, line 47 – column 4, line 14; column 1, lines 19-26; Fig. 5: step S4 and step S6; col. 13, lines 1-18); storing on a storage device the MPEG stream, starting locations of video frames within the MPEG stream and time stamps associated with the video frames, the storage device additionally containing a plurality of previously stored MPEG streams, starting location of video frames within each of the previously stored MPEG streams and time stamps associated with the video frames within each of the previously stored MPEG streams (column 3, line 47 - column 4, line 14; column 1, lines 19-26; Fig. 5; step S4 and step S6; column 8, lines 4-28); accepting a user control command (col. 12, line 66 to col. 13, line 10); in response to the user control command, selecting a particular video frame from within a particular MPEG stream stored on the storage device using a time stamp stored on the storage device associated with the selected particular video frame (column 11, lines 55-59; col. 13, lines 1-18); retrieving the selected particular video frame using a stored starting location of the selected particular video frame (col. 13, lines 11-44 and col. 14, lines 5-10); and sending the selected particular video frame for display (col. 14, lines 5-10).

However, Kawamura et al. do not disclose the digital stream to be a digital television stream; concurrently receiving, extracting, and concurrently storing at least two digital television streams; and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream.

Wagner discloses a digital television receiver that receives a digital television stream (Fig. 1; column 3, lines 48-50).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the receiving of the digital television stream as disclosed by Wagner into the method disclosed by Kawamura to record television signals so that good programs can be reviewed at a later time. The incorporated feature would enhance the user interface significantly.

However, the proposed combination of Kawamura et al. and Wagner does not disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams; and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream.

Takagi et al. disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams (Fig. 13; column 17, line 65 – column 18, line 4; column 18, lines 12-21); and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream (column 10, lines 11-21).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of concurrently receiving, extracting, concurrently storing at least two digital television streams, and concurrently selecting a video frame and storing of the stream disclosed by Takagi et al. into the method disclosed by Kawamura et al. and Wagner to implement multi-window display (Takagi et al., column 17, lines 51-57). The incorporated feature would allow viewers to watch a

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plurality of programs at the same time; thus, further enhancing the interface of the method.

Regarding claim 132, Kawamura et al discloses the claimed wherein the particular video frame is a video I-frame (col. 11, lines 53-67).

Regarding claim 133, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to the user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 134, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to a second user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the second user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 135, Kawamura et al discloses the claimed wherein the selecting step selects a particular video frame from within a particular MPEG stream stored on the second storage device using a time stamp associated with the selected particular video frame (col. 11, lines 40-67).

Regarding claim 136, Kawamura et al discloses the claimed wherein the extracting step extracts an MPEG stream based on a user control command (col. 3, lines 56-67).

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Regarding claim 139, Kawamura et al discloses the claimed wherein the storing step further comprises switching to a second storage device for MPEG stream storage (col. 11, lines 40-67).

Regarding claim 140, Kawamura et al discloses the claimed wherein the receiving step further comprises switching to a second digital television stream (col. 11, lines 40-67) in the view that it can be used to record another television stream.

Regarding claim 141, Takagi et al. also discloses the claimed wherein the selecting step further comprises: in response to a second user command (column 16, lines 37-52), selecting a second particular video frame from a second MPEG stream stored on the storage device (column 16, lines 37-52); wherein the retrieving step further comprises: retrieving the selected second particular video frame (column 16, lines 37-52); and wherein the sending step further comprises: sending the selected particular video frame and the selected second particular video frame to different destinations for display (column 17, lines 32-40, 56-64).

Claim 142 is rejected for the same reason as discussed in claim 141 above and in further consideration of Takagi et al. also disclosing sending the selected particular video frame and the selected second particular video frame to different areas within a display (column 17, lines 32-40, 56-64).

Regarding claim 143, Kawamura et al discloses the claimed wherein the storage device is a hard disk (col. 1, lines 46-53).

Claim 144 is rejected for the same reasons as discussed in claim 131 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

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Claim 145 is rejected for the same reasons as discussed in claim 132 above.

Claim 146 is rejected for the same reasons as discussed in claim 133 above.

Claim 147 is rejected for the same reasons as discussed in claim 134 above.

Claim 148 is rejected for the same reasons as discussed in claim 135 above.

Claim 149 is rejected for the same reasons as discussed in claim 136 above.

Claim 152 is rejected for the same reasons as discussed in claim 139 above.

Claim 153 is rejected for the same reasons as discussed in claim 140 above.

Claim 154 is rejected for the same reasons as discussed in claim 141 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 155 is rejected for the same reasons as discussed in claims 154 and 142 above.

Claim 156 is rejected for the same reasons as discussed in claim 143 above.

Apparatus claims 183-188, 191-201, and 204-208 are rejected for the same reasons as discussed in the method claims 131-136, 139-149, and 152-156, respectively.

Apparatus claims 235-240, 243-253, and 256- 260 are rejected for the same reasons as discussed in the method claims 131-136, 139-149, and 152-156, respectively.

Regarding claim 157, Kawamura et al discloses a method for storage and display of multimedia data (Figs. 7-8), comprising the steps of: receiving a video signal (col. 3, lines 56-67; Fig. 7); encoding from the television signal an MPEG stream that contains a plurality of video frames and time stamps associated with the video frame (video

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encoder 1 disclosed in col. 3, lines 47-51 and col. 11, lines 40-67); identifying starting locations of video frames within the MPEG stream and time stamps associated with video frames (column 3, line 47 – column 4, line 14; column 1, lines 19-26; Fig. 5: step S4 and step S6; col. 13, lines 1-18); storing on a storage device the MPEG stream, starting locations of video frames within the MPEG stream and time stamps associated with the video frames, the storage device additionally containing a plurality of previously stored MPEG streams, starting location of video frames within each of the previously stored MPEG streams and time stamps associated with the video frames within each of the previously stored MPEG streams (column 3, line 47 – column 4, line 14; column 1, lines 19-26; Fig. 5: step S4 and step S6; column 8, lines 4-28); accepting a user control command (col. 12, line 66 to col. 13, line 10); in response to the user control command, selecting a particular video frame from within a particular MPEG stream stored on the storage device using a time stamp associated with the selected particular video frame (column 11, lines 55-59; col. 13, lines 1-18); retrieving the selected particular video frame using a stored starting location of the selected particular video frame (col. 13, lines 11-44 and col. 14, lines 5-10); and sending the selected particular video frame for display (col. 14, lines 5-10).

However, Kawamura et al. do not disclose the digital stream to be an analog television signal; concurrently receiving, extracting, and concurrently storing at least two television streams; and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream.

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Wagner discloses a television receiver that receives an analog television signal (Fig. 2 - Fig.4).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the receiving of an analog television signal as disclosed by Wagner into the method disclosed by Kawamura to record television signals since it merely amounts to selecting readily available video format.

However, the proposed combination of Kawamura et al. and Wagner does not disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams; and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream.

Takagi et al. disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams (Fig. 13; column 17, line 65 – column 18, line 4; column 18, lines 12-21); and selecting a particular video frame essentially simultaneously with the concurrent storage on the storage device of the MPEG stream (column 10, lines 11-21).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of concurrently receiving, extracting, and concurrently storing at least two digital television streams disclosed by Takagi et al. into the method disclosed by Kawamura et al. and Wagner to implement multi-window display (Takagi et al., column 9, lines 40-46; column 17, lines 51-57). The incorporated feature would allow viewers to watch a plurality of programs at the same time; thus, further enhancing the interface of the method.

Regarding claim 158, Kawamura et al discloses the claimed wherein the particular video frame is a video I-frame (col. 11, lines 53-67).

Regarding claim 159, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to the user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 160, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to a second user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the second user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 161, Kawamura et al discloses the claimed wherein the selecting step selects a particular video frame from within a particular MPEG stream stored on the second storage device using a time stamp associated with the selected particular video frame (col. 11, lines 40-67).

Regarding claim 162, Kawamura et al discloses the claimed wherein the extracting step extracts an MPEG stream based on a user control command (col. 3. lines 56-67).

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Regarding claim 165, Kawamura et al discloses the claimed wherein the storing step further comprises switching to a second storage device for MPEG stream storage (col. 11, lines 40-67).

Regarding claim 166, Kawamura et al discloses the claimed wherein the receiving step further comprises switching to a second analog television signal (col. 11, lines 40-67) in the view that it can be used to record another analog television signal.

Claim 167 is rejected for the same reason as discussed in claim 141 above.

Claim 168 is rejected for the same reason as discussed in claim 141 above and in further consideration of Takagi et al. also disclosing sending the selected particular video frame and the selected second particular video frame to different areas within a display (column 17, lines 32-40, 56-64).

Regarding claim 169, Kawamura et al discloses the claimed wherein the storage device is a hard disk (col. 1, lines 46-53).

Claim 170 is rejected for the same reasons as discussed in claim 157 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 171 is rejected for the same reasons as discussed in claim 158 above.

Claim 172 is rejected for the same reasons as discussed in claim 159 above.

Claim 173 is rejected for the same reasons as discussed in claim 160 above.

Claim 174 is rejected for the same reasons as discussed in claim 161 above.

Claim 175 is rejected for the same reasons as discussed in claim 162 above.

Claim 178 is rejected for the same reasons as discussed in claim 165 above.

Claim 179 is rejected for the same reasons as discussed in claim 166 above.

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Claim 180 is rejected for the same reasons as discussed in claim 167 above and additionally Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 181 is rejected for the same reasons as discussed in claims 180 and 168 above.

Claim 182 is rejected for the same reasons as discussed in claim 169 above.

Apparatus claims 209-214; 217-227, and 230-234 are rejected for the same reasons as discussed in the method claims 157-162, 165-175, and 178-182, respectively.

Apparatus claims 261-266; 269-279, and 282- 286 are rejected for the same reasons as discussed in the method claims 157-162, 165-175, and 178-182, respectively.

Claims 137, 150, 163, 176, 189, 202, 215, 228, 241, 254, 259, 267, and 280, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691) as applied to claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 above, and further in view of Logan et al (Re. 36,801).

Regarding claim 137, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 131 above except for providing that the extracting step extracts an MPEG stream based on date and time.

Logan et al teaches that the invention also advantageously includes a clock/calendar unit 15 which is connected to the microprocessor 11 to automatically activate the system at scheduled times. In this way, the system need not be in continuous operation but may instead be activated in advance of scheduled use so that the memory subsystem 5 is fully loaded with prior programming at the time viewing begins in col. 3, lines 38-45.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to in corporate the clock/calendar unit 15 as taught by Logan et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to automatically activate the system at scheduled times.

Claim 150 is rejected for the same reasons as discussed in claim 137 above.

Regarding claim 163, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 157 above except for providing that the extracting step extracts an MPEG stream based on date and time.

Logan et al teaches that the invention also advantageously includes a clock/calendar unit 15 which is connected to the microprocessor 11 to automatically activate the system at scheduled times. In this way, the system need not be in continuous operation but may instead be activated in advance of scheduled use so that the memory subsystem 5 is fully loaded with prior programming at the time viewing begins in col. 3, lines 38-45.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to in corporate the clock/calendar unit 15 as taught by Logan et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to automatically activate the system at scheduled times.

Claim 176 is rejected for the same reasons as discussed in claim 163 above.

Claim 189 is rejected for the same reasons as discussed in claim 137 above.

Claim 202 is rejected for the same reasons as discussed in claim 137 above.

Claim 215 is rejected for the same reasons as discussed in claim 163 above.

Claim 228 is rejected for the same reasons as discussed in claim 163 above.

Claim 241 is rejected for the same reasons as discussed in claim 137 above.

Claim 254 is rejected for the same reasons as discussed in claim 137 above.

Claim 267 is rejected for the same reasons as discussed in claim 163 above.

Claim 280 is rejected for the same reasons as discussed in claim 163 above.

Claims 138, 151, 164, 177, 190, 203, 216, 229, 242, 255, 268, and 281 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691) as applied to claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 above, and further in view Yuen et al (US 5,488,409).

Regarding claim 138, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 131 above

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except for providing that the extracting step extracts an MPEG stream based on a particular word or particular phrase in the digital television stream.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 151 is rejected for the same reasons as discussed in claim 138 above.

Regarding claim 164, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 157 above except for providing that the extracting step extracts an MPEG stream based on a particular word or particular phrase in the digital television stream.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program

guide as taught by Yuen et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 177 is rejected for the same reasons as discussed in claim 164 above.

Claim 190 is rejected for the same reasons as discussed in claim 138 above.

Claim 203 is rejected for the same reasons as discussed in claim 138 above.

Claim 216 is rejected for the same reasons as discussed in claim 164 above.

Claim 229 is rejected for the same reasons as discussed in claim 164 above.

Claim 242 is rejected for the same reasons as discussed in claim 138 above.

Claim 255 is rejected for the same reasons as discussed in claim 138 above.

Claim 268 is rejected for the same reasons as discussed in claim 164 above.

Claim 281 is rejected for the same reasons as discussed in claim 164 above.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang Patent Examiner

/Thai Tran/ Supervisory Patent Examiner, Art Unit 2621